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To the Commissioner for Patents:

PTO/SB/31 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) THUMB-DIV604	
I certify that this correspondence is deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Office address below, on <u>December 3, 2007 (Monday)</u> : <u>Christopher John Rudy</u> 12/3/2007. Christopher John Rudy Date		In re Application of Charles O. Townley	
		Application Number 10/758,455	Filed 01/15/2004
		For MODULAR BASAL THUMB JOINT IMPLANT	
		Group Art Unit 3738	Examiner Brian E. Pellegrino
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, <u>08/02/2007</u> , rejecting the following claims: <u>21-26, 28, 29, 31, 32, 34-37 and 40-42</u>			
The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$ 510.00</u>			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		<u>\$ 255.00</u>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____, I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant. <input type="checkbox"/> assignee of record of the entire interest. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a): _____		<u>Christopher John Rudy</u> Christopher John Rudy USPTO Reg. No. 31,873 _____ Typed or printed name <u>December 3, 2007 A.D.</u> _____ Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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